

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

TERRENCE EDWARD HAMMOCK,	:	
	:	
Plaintiff	:	
	:	
v.	:	CIVIL NO. 4:CV-04-1982
	:	
WARDEN JOHN NASH, ET AL.,	:	
	:	(Judge McClure)
Defendants	:	

**ORDER**

April 27, 2005

**Background**

Terrence Edward Hammock, an inmate presently confined at the Schuylkill Federal Correctional Institution, Minersville, Pennsylvania (FCI-Schuylkill), filed this pro se Bivens-type<sup>1</sup> civil rights complaint. By Memorandum and Order dated October 6, 2004, Hammock's complaint was dismissed, without prejudice, as legally frivolous under 28 U.S.C. § 1915. In light of the dismissal of his action,

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<sup>1</sup> Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) stands for the proposition that "a citizen suffering a compensable injury to a constitutionally protected interest could invoke the general federal question jurisdiction of the district court to obtain an award of monetary damages against the responsible federal official." Butz v. Economou, 438 U.S. 478, 504 (1978).

Plaintiff's previously filed request for appointment of counsel will be denied as moot. Consequently,

**IT IS HEREBY ORDERED THAT:**

Plaintiff's request for appointment of counsel (Record document no. 15) is denied as moot.

s/ James F. McClure, Jr.  
JAMES F. McCLURE, JR.  
United States District Judge